



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ni et al.

Application No. 10/652,622

Filed: August 29, 2003

FOR: DELIVERY OF PHYSIOLOGICAL AGENTS
WITH *IN-SITU* GELS COMPRISING ANIONIC
POLYSACCHARIDES

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)
) Confirmation No. 1025
)
) Group Art: 1635
)
) Examiner: Schnizer, Richard A.
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)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS &
INGEROLL, LLP
Customer No. 23859

July 16, 2008

Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, submitted herewith on the accompanying Information Disclosure Statement List is a listing of documents known to Applicants and/or their attorneys. In accordance with 37 C.F.R. § 1.98(a)(2), copies of any cited U.S. patent or U.S. patent application publication documents are not enclosed. Copies of any cited foreign patent document and/or any non-patent publication are enclosed.

CONSIDER

In accordance with the provisions of M.P.E.P. § 2001.06(b) and 37 C.F.R. § 1.98(b)(3), Applicants would like to bring to the attention of the Examiner the existence of the co-pending patent application(s) identified below, which were filed in the United States Patent and Trademark Office:

Application No.	Date Filed	Inventors	Attorney Docket No.
1. 11/437,993	May 19, 2006	Ni et al.	04137.0002U6

This pending application is stored in the Image File Wrapper (IFW) system of the USPTO. Accordingly, copies of the cited specification, including the claims and drawings

thereof, are not enclosed in accordance with the waiver to 37 CFR 1.98(a)(2)(iii) dated September 21, 2004.

US Prosecution

Applicant would like to bring to the Examiner's attention the following materials from the prosecution history of U.S. Application Serial No. 10/422,867 (04137.0002U3):

Date	Document
3-28-2008	Response after Non-Final Rejection
2-8-2008	Non-Final Rejection
1-11-2008	Response after Final Rejection
1-11-2008	Terminal Disclaimer
12-6-2007	Final Rejection
10-16-2007	Response after Non-Final Rejection
7-10-2007	Non-Final Rejection
5-14-2007	Response after Final Rejection
5-14-2007	Terminal Disclaimer
4-2-2007	Final Rejection
4-2-2007	Examiner Interview Summary Record
1-8-2007	Response after Non-Final Rejection
1-8-2007	Terminal Disclaimer
9-5-2006	Non-Final Rejection
8-8-2006	Petition to Withdraw from Issue
8-8-2006	Request for Continued Examination
11-21-2005	Notice of Allowance and Fees Due
10-17-2005	Pre-Brief Conference request
10-17-2005	Notice of Appeal filed
6-15-2005	Final Rejection
3-28-2005	Response after Non-Final Rejection
3-10-2005	Informal or Non-Responsive Amendment
2-17-2005	Notice to the Applicant regarding a non-compliant or non-responsive amendment
2-7-2005	Informal or Non-Responsive Amendment
10-5-2004	Non-Final Rejection
9-7-2004	Preliminary Amendment
4-15-2004	Miscellaneous Incoming Letter
10-16-2003	Preliminary Amendment

Applicant would also like to bring to the Examiner's attention the following materials from the prosecution history of U.S. Application Serial No. 11/437,993 (04137.0002U6):

Date	Document
4-9-2008	Non-Final Rejection
12-6-2007	Preliminary Amendment
8-22-2006	Preliminary Amendment
7-13-2006	Preliminary Amendment

All of these materials are available in the USPTO image file history of an application to which the instant application claims priority. Nonetheless, copies of these materials are also enclosed.

Foreign Prosecution

Applicant would like to bring to the Examiner's attention the Canadian Office Action issued for Canadian application 2,331,744, the counterpart of the present U.S. Application.

Applicant would like to bring to the Examiner's attention the following materials from the foreign prosecution of the following related applications.

- Chinese Office Action in Chinese application 02807315.0.
- Chinese Office Action in Chinese application 200480024847.8.
- Eurasian Office Action in Eurasian application 200600484.
- European Office Action in European application 02780737.9.
- Korean Office Action in European application 10-2003-7011262.

Consideration of the cited documents and making the same of record in the prosecution of the above-referenced application are respectfully requested.

This Information Disclosure Statement is believed to be filed in a timely manner pursuant to 37 C.F.R. § 1.97(c), in that neither a final Office Action nor a Notice of Allowance has been mailed to Applicants. Accordingly, Applicants enclose the fee required under 37 C.F.R. § 1.97(c)(2) and 37 C.F.R. § 1.17(p).

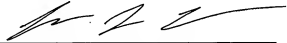
A credit card payment submitted via Form PTO-2038 in the amount of \$1230.00 is enclosed. This payment includes the \$180.00 fee for the Supplemental IDS under 37 C.F.R. § 1.97(c)(2) and 37 CFR § 1.17(p) and the \$1050.00 fee for the Three-Month Extension of Time

ATTORNEY DOCKET NO. 04137.0003U3
ATTORNEY DOCKET NO. 10/652,622

under 37 C.F.R. § 1.17(a)(3). No additional fees are believed to be due; however, the Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

BALLARD SPAHR ANDREWS &
INGEROLL, LLP



Christopher L. Curfman, JD, PhD
Registration No. 52,787

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(678) 420-9301 (Facsimile)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.



Christopher L. Curfman, JD, PhD

July 16, 2008
Date



**INFORMATION DISCLOSURE STATEMENT LIST
PURSUANT TO 37 CFR 1.98(a)(1)-(2) and (b)(3)-(4)
FOR APPLICATION NO. 10/652,622
APPENDIX A – LIST OF PROSECUTION DOCUMENTS**

DOCUMENTS FROM THE PROSECUTION OF OTHER U.S. AND FOREIGN PATENT APPLICATIONS				
Examiner's Initials	Attorney Docket #	Application No.	Date	Document
	04137.0002US	10/422,867		
			3-28-2008	Response after Non-Final Rejection
			2-8-2008	Non-Final Rejection
			1-11-2008	Response after Final Rejection
			1-11-2008	Terminal Disclaimer
			12-6-2007	Final Rejection
			10-16-2007	Response after Non-Final Rejection
			7-10-2007	Non-Final Rejection
			5-14-2007	Response after Final Rejection
			5-14-2007	Terminal Disclaimer
			4-2-2007	Final Rejection
			4-2-2007	Examiner Interview Summary Record
			1-8-2007	Response after Non-Final Rejection
			1-8-2007	Terminal Disclaimer
			9-5-2006	Non-Final Rejection
			8-8-2006	Petition to Withdraw from Issue
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			11-21-2005	Notice of Allowance and Fees Due
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			10-5-2004	Non-Final Rejection
			9-7-2004	Preliminary Amendment
			4-15-2004	Miscellaneous Incoming Letter
			10-16-2003	Preliminary Amendment
	04137.0002U6	11/437,993		
			4-9-2008	Non-Final Rejection
			12-6-2007	Preliminary Amendment
			8-22-2006	Preliminary Amendment
			7-13-2006	Preliminary Amendment
	04137.0002CA1	CA2/331,744		
			4-17-2007	Canadian Office Action
			2-14-2008	Canadian Office Action
	04137.0003CN1	CN 02807316.0		
			1-21-2005	Chinese Office Action
			9-16-2005	Chinese Office Action

INFORMATION DISCLOSURE STATEMENT LIST
PURSUANT TO 37 CFR 1.98(a)(1)
FOR APPLICATION NO. 10/652,622
APPENDIX A – LIST OF OTHER DOCUMENTS
Page 2 of 2

DOCUMENTS FROM THE PROSECUTION OF OTHER U.S. AND FOREIGN PATENT APPLICATIONS				
Examiner's Initials	Attorney Docket #	Application No.	Date	Document
	04137-0003CN2	CN12004800248478		
			11-9-2007	Chinese Office Action
	04137-0003EA1	EA 200600484		
			1-16-2008	Eurasian Office Action
	04137-0003EP1	EP 027807379		
			5-28-2007	European Office Action
	04137-0003KR1	KR 10-2003-7011262		
			12-24-2007	Korean Office Action



IDS PROSECUTION DOCUMENT COVER SHEET

ATTENTION:

The documents listed in the table below are being provided in a **Supplemental Information Disclosure Statement** for Application Number **10/652,622** (see **APPENDIX A**).

These documents are copies of the prosecution documents from another application and are not being submitted as a separate or original filing.

Please do not record or file these documents in the Application identified therein or charge any fees associated therewith.

DOCUMENTS FROM THE PROSECUTION OF OTHER U.S. AND FOREIGN PATENT APPLICATIONS				
Examiner's Initials	Attorney Docket #	Application No.	Date	Document
	04137.0002U3	10/422,667		
			3-28-2008	Response after Non-Final Rejection
			2-8-2008	Non-Final Rejection
			1-11-2008	Response after Final Rejection
			1-11-2008	Terminal Disclaimer
			12-6-2007	Final Rejection
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	04137.0003CN1	CN 02807315.0		
			1-21-2005	Chinese Office Action
			9-16-2005	Chinese Office Action
	04137.0003CN2	CN 200480024847.8		
			11-9-2007	Chinese Office Action
	04137.0003EA1	EA 200600484		
			1-16-2008	Eurasian Office Action
	04137.0003EP1	EP 02780737.9		
			5-28-2007	European Office Action
	04137.0003KR1	KR 10-2003-7011262		
			12-24-2007	Korean Office Action

/Richard Schnizer/

10/23/2008